

John S. Pang-Linan  
P.O. Box 401721  
Saipan, MP 96950

FILED  
Clerk  
District Court

MAY 27 2008

Telephone No. (670) 322-0322

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

Pro se

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

JOHN S. PANG-LINAN

Civil Action No. 08-0004

Plaintiff,

v.

NOTICE OF APPEAL

DAVID A. WISEMAN, et al.

Defendants.

Notice is hereby given that John S. Pang-Linan, plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Ninth Circuit at San Francisco, California, from the (A) Order Denying "Objections" to Designation and Assignment of Judge, filed on May 07, 2008; (B) Order Denying "Objections" to

to Late Filing, filed on May 07, 2008; (c) Order (i) Granting Motion to Dismiss Without Leave to Amend Filed by Federal Defendants, (2) Granting Motion to Dismiss Without Leave to Amend Filed by United States, and (3) Granting Motions to Dismiss, for Sanctions, and for Pre-filing Injunction, filed by non-Federal Defendants, filed on May 08, 2008; (d) Order to Show Cause Why JOHN S. PANGELINAN Should Not Be Declared a Vexatious Litigant and Be Subjected to a Pre-filing Order as to Any and All Future Filings Involved With, or Derived from in Any Way, Civil Action No. 97-1073, filed on May 08, 2008; and, (e) Order Denying Plaintiff's "Consolidated Motion for Reconsideration and Withdrawal, Pursuant to Rules 59 or 60(b), All Orders of This Court Issued On May 07 & 08, 2008," filed on May 21, 2008, and executed on May 26, 2008.

Plaintiff Pangelinan "was determined to be financially unable to obtain adequate defense in a case" in U.S.A. v. Pangelinan, Criminal Action No. 06-00012, U.S. District Court for the Northern Mariana Islands, and in U.S.A. v. Pangelinan, Case No. 07-17395 & Case No. 07-10032, U.S. Court of Appeals for the Ninth Circuit, pursuant to FRAP 24(a)(3)(A). See, Order of January 28, 2008, Case No. 07-17395, 9th Circuit Court. Thus, Pangelinan is not required to pay Appeal, filing and docketing, fees. See, Circuit Rule 3-1.

Alternatively, Pangelinan is presently incarcerated who is sentenced to months (ten) of imprisonment under U.S.A v. Pangelinan, Criminal Action No. 06-00012, District Court for the No-

thern Marianas Islands, and, the underlying appeal is a civil rights civil action, or a strictly Bivens action, for constitutional torts committed against Pangilinan by defendants. Pangilinan is entitled to proceed in forma pauperis or is entitled to all rights under the Prisoner's Litigation Reform Act and proceed thereunder. Pangilinan is entitled to waiver of the appeal, filing and docketing, fees.

Dated this 27th day of May, 2008.

J.S.P.  
John S. Pangilinan  
Plaintiff - Appellant  
Pro se